

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of:

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Timothy John Warner

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Serial No.: 10/527,046

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Filing Date: March 8, 2005

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For: Construction Kit

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) Customer No.: 23644

)

)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 5, 2006.

Signature: Minnie Wilson

Minnie Wilson

**PETITION TO WITHDRAW NOTIFICATION OF ABANDONMENT**

Honorable Director of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

A Notification of abandonment mailed April 26, 2006 has been received. Withdrawal of the notice is requested, since the application is not abandoned.

The Notification states that a Notification of Missing Requirements was allegedly mailed by the Patent and Trademark Office on July 22, 2005. However, no such document was ever received by the undersigned or the firm of the undersigned.

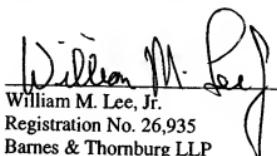
It is assumed that the Notification of Missing Requirements required filing of the Declaration by September 22, 2005 (two months after its filing), although since the Notification has never been received, that is only an assumption. Appended hereto is a copy of the docket entries of the firm of the undersigned showing base dates (PTO action dates) of July 22, 2005. Had the Notification of Missing Requirements been received, it would have been docketed for a response deadline of September 22, 2005. As can be seen, there is no information regarding this application (file number 920602-98737) because the Notification of Missing Requirements were never received. The undersigned can unequivocally confirm lack of receipt.

Required by the Patent and Trademark Office was the Declaration for the application, and that document, as well as the Power of Attorney, is submitted herewith. Also submitted herewith is the fee of \$65.00 for late filing of the Declaration (the applicant is a small entity).

The Notification of Missing Requirements having never been received, and the Declaration being submitted herewith, it is requested that the application be returned to pending status and proceed to examination in due course.

May 4, 2006

Respectfully submitted,



William M. Lee, Jr.  
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## Actions Due

May 05, 2006

Page: 1

ent-Matter No: 20341-71886

SubCase:

Country: US United States of America

Case Type: PRI

Status : Issued

Action Type: US-Allowability

Base Date: 22-Jul-2005

Response sent date: 09-Aug-2005

Action(s) Due	Due Date	Indicator	Taken
DWG/FRMLTY DUE IN 2MO	22-Aug-2005	Reminder	09-Aug-2005
DWG/FRMLTY DUE IN 1MO	22-Sep-2005	Reminder	09-Aug-2005
DWG/FRMLTY DUE LAST DAY	22-Oct-2005	Due Date	09-Aug-2005

Remarks:

NA PER RAR

User ID: ezc

Date Created: 26-Jul-2005

Last Update: 09-Aug-2005

## Actions Due

May 05, 2006

Page: 2

ent-Matter No: 20341-71886

SubCase:

Country: US United States of America

Case Type: PRI

Status : Issued

Action Type: US-Allowance

Base Date: 22-Jul-2005

Response sent date: 04-Oct-2005

Action(s) Due	Due Date	Indicator	Taken
FILE CONT. OR DIVISIONAL?	22-Sep-2005	Reminder	04-Oct-2005
ISSUE/PUB. FEE DUE IN 1 MONT	22-Sep-2005	Reminder	04-Oct-2005
ISSUE/PUB. FEE (LAST DAY)	22-Oct-2005	Due Date	04-Oct-2005

### Remarks:

IF PER RAR

User ID: ezc

Date Created: 26-Jul-2005

Last Update: 05-Oct-2005

**Actions Due****May 05, 2006****Page: 3****ent-Matter No:** 265280-68188**SubCase:****Country:** US      **United States of America****Case Type:** ORD**Status :** Pending**Action Type:** US-OFFICE ACTION (3 MONTH)**Base Date:** 22-Jul-2005**Response sent date:** 22-Nov-2005

Action(s) Due	Due Date	Indicator	Taken
RESPONSE DUE IN 1.5 MONTHS	05-Sep-2005	Reminder	22-Nov-2005
RESPONSE DUE IN ABOUT 3 WE	29-Sep-2005	Reminder	22-Nov-2005
RESPONSE DUE	22-Oct-2005	Due Date	22-Nov-2005
4MO RESPONSE (IMO EXT)	22-Nov-2005	Due Date	22-Nov-2005
5MO RESPONSE (2MO EXT)	22-Dec-2005	Due Date	22-Nov-2005
6MO RESPONSE (LAST DAY)	22-Jan-2006	Due Date	22-Nov-2005

**Remarks:**

RESP PER SDB

**User ID:** ezc**Date Created:** 26-Jul-2005**Last Update:** 22-Nov-2005

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**Actions Due****May 05, 2006****Page: 4**

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**ent-Matter No:** 265280-77942**SubCase:****Country:** US      **United States of America****Case Type:** PRI**Status :** Pending**Action Type:** US-MISSING PARTS 2MO**Base Date:** 22-Jul-2005**Response sent date:** 24-Aug-2005

Action(s) Due	Due Date	Indicator	Taken
RESPONSE DUE 1 MONTH	22-Aug-2005	Reminder	24-Aug-2005
RESPONSE DUE	22-Sep-2005	Due Date	24-Aug-2005
RESPONSE (1 MO EXTENSION)	22-Oct-2005	Due Date	24-Aug-2005
RESPONSE (2 MO EXTENSION)	22-Nov-2005	Due Date	24-Aug-2005
RESPONSE (3 MO EXTENSION)	22-Dec-2005	Due Date	24-Aug-2005
RESPONSE (LAST DAY)	22-Jan-2006	Due Date	24-Aug-2005

**Remarks:**

RESP PER CES

**User ID:** ezc**Date Created:** 26-Jul-2005**Last Update:** 24-Aug-2005

## Actions Due

May 05, 2006

Page: 5

ent-Matter No: 5723-76782

SubCase:

Country: US United States of America

Case Type: CON

Status : Pending

Action Type: OFFICE ACTION REPORT LETTER

Base Date: 22-Jul-2005

Response sent date: 12-Aug-2005

Action(s) Due	Due Date	Indicator	Taken
LETTER TO CLIENT DUE IN 1 W	29-Jul-2005	Reminder	12-Aug-2005
REPORT LETTER TO CLIENT	05-Aug-2005	Due Date	12-Aug-2005
LETTER TO CLIENT (1 WK LATE)	12-Aug-2005	Due Date	12-Aug-2005
LETTER TO CLIENT (2 WK LATE)	22-Aug-2005	Due Date	12-Aug-2005
LETTER TO CLIENT (5 WKS LAT)	09-Sep-2005	Due Date	12-Aug-2005

**Remarks:**

LETTER PER RBL

User ID: ezc

Date Created: 26-Jul-2005

Last Update: 15-Aug-2005

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**Actions Due****May 05, 2006****Page: 6**

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**ent-Matter No:** 5727-78470**SubCase:****Country:** US      **United States of America****Case Type:** PRI**Status :** Unfiled**Action Type:** US-NEW APPLICATION FILE OPENED**Base Date:** 22-Jul-2005**Response sent date:**

Action(s) Due	Due Date	Indicator	Taken
FILE APP?(OPENED 6MO AGO)	22-Jan-2006	Reminder	
FILE APP?(OPENED 1YR AGO)	22-Jul-2006	Reminder	
FILE APP?(OPENED 2YR AGO)	22-Jul-2007	Reminder	
FILE APP?(OPENED 3YR AGO)	22-Jul-2008	Reminder	

**Remarks:****User ID:** mje**Date Created:** 04-Jan-2006**Last Update:** 04-Jan-2006

**Actions Due****May 05, 2006****Page: 7****ent-Matter No:** 920522-96468**SubCase:****Country:** US      **United States of America****Case Type:** PCT**Status :** Pending**Action Type:** US-RESTRICTION RQMT (IMO)**Base Date:** 22-Jul-2005**Response sent date:** 22-Aug-2005

Action(s) Due	Due Date	Indicator	Taken
ELECTION DUE IN 2 WEEKS	06-Aug-2005	Reminder	06-Aug-2005
ELECTION DUE	22-Aug-2005	Due Date	22-Aug-2005

**Remarks:**

TO BE FILED ON TIME

**User ID:** mphillips**Date Created:** 25-Jul-2005**Last Update:** 22-Aug-2005

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**Actions Due****May 05, 2006****Page: 8**

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ent-Matter No: 920536-95342

SubCase:

Country: US United States of America

Case Type: ORD

Status : Pending

Action Type: US-OFFICE ACTION (3 MONTH)

Base Date: 22-Jul-2005

Response sent date: 24-Oct-2005

Action(s) Due	Due Date	Indicator	Taken
RESPONSE DUE IN 1.5 MONTHS	05-Sep-2005	Reminder	24-Oct-2005
RESPONSE DUE IN ABOUT 3 WE	29-Sep-2005	Reminder	24-Oct-2005
RESPONSE DUE	22-Oct-2005	Due Date	24-Oct-2005
4MO RESPONSE (1MO EXT)	22-Nov-2005	Due Date	24-Oct-2005
5MO RESPONSE (2MO EXT)	22-Dec-2005	Due Date	24-Oct-2005
6MO RESPONSE (LAST DAY)	22-Jan-2006	Due Date	24-Oct-2005

Remarks:

User ID: mphillips

Date Created: 25-Jul-2005

Last Update: 26-Oct-2005

**Actions Due****May 05, 2006****Page: 9**

ent-Matter No: 920569-905303

SubCase:

Country: US United States of America

Case Type: ORD

Status : Inactive

Action Type: US-ABANDONMENT NOTICE

Base Date: 22-Jul-2005

Response sent date:

Action(s) Due	Due Date	Indicator	Taken
PET. TO REVIVE DUE IN 9MO	22-Oct-2005	Reminder	
PET. TO REVIVE DUE IN 1M0	22-Jun-2006	Reminder	
PET. TO REVIVE (LAST DAY)	22-Jul-2006	Due Date	

**Remarks:**

User ID: amartell

Date Created: 25-Jul-2005

Last Update: 25-Jul-2005

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**Actions Due****May 05, 2006****Page: 10**

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**ent-Matter No:** 920569-95866**SubCase:****Country:** US      **United States of America****Case Type:** PCT**Status :** Issued**Action Type:** Application Status Check**Base Date:** 22-Jul-2005**Response sent date:** 23-May-2005

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<b>Action(s) Due</b>	<b>Due Date</b>	<b>Indicator</b>	<b>Taken</b>
Application Status Check	22-Jul-2005	Due Date	23-May-2005

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**Remarks:****User ID:** amartell**Date Created:** 09-May-2005**Last Update:** 23-May-2005

**Actions Due****May 05, 2006**      **Page: 11****ent-Matter No:** 920602-97830**SubCase:****Country:** US      **United States of America****Case Type:** PCT**Status :** Pending**Action Type:** NOTICE OF MISSING REQUIREMENT**Base Date:** 22-Jul-2005**Response sent date:** 22-Sep-2005

Action(s) Due	Due Date	Indicator	Taken
NOTICE OF MISSING REQUIREM	22-Sep-2005	Due Date	22-Sep-2005

**Remarks:**

OATH OR DECLARATION OF THE INVENTORS

DECL; ASS'N 9/22/05

**User ID:** mphillips**Date Created:** 29-Jul-2005**Last Update:** 23-Sep-2005

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**Actions Due****May 05, 2006****Page: 12**

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**ent-Matter No:** 920602-97903**SubCase:****Country:** US      **United States of America****Case Type:** PCT**Status :** Pending**Action Type:** NOTICE OF MISSING REQUIREMENT**Base Date:** 22-Jul-2005**Response sent date:** 21-Sep-2005

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Action(s) Due	Due Date	Indicator	Taken
NOTICE OF MISSING REQUIREM	22-Sep-2005	Due Date	21-Sep-2005

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**Remarks:**

OATH OR DECLARATION OF THE INVENTORS

**User ID:** mphillips**Date Created:** 26-Jul-2005**Last Update:** 28-Sep-2005

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**Actions Due****May 05, 2006**      **Page: 13**

ent-Matter No: 920673-97007

**SubCase:**

Country: US      United States of America

**Case Type:** ORD

Status : Pending

Action Type: ASSIGNMENT DOCUMENT DUE

**Base Date:** 22-Jul-2005**Response sent date:** 03-Aug-2005**Action(s) Due****Due Date****Indicator****Taken**

ASSIGNMENT DOCUMENT DUE 19-Aug-2005

Due Date

03-Aug-2005

**Remarks:****User ID:** mphillips**Date Created:** 02-Aug-2005**Last Update:** 03-Aug-2005

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**Actions Due**

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**May 05, 2006****Page: 14**

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**ent-Matter No:** 924024-99255**SubCase:****Country:** US      **United States of America****Case Type:** CON**Status :** Pending**Action Type:** US-MISSING PARTS 2MO**Base Date:** 22-Jul-2005**Response sent date:** 20-Sep-2005

Action(s) Due	Due Date	Indicator	Taken
RESPONSE DUE 1 MONTH	22-Aug-2005	Reminder	20-Sep-2005
RESPONSE DUE	22-Sep-2005	Due Date	20-Sep-2005
RESPONSE (1 MO EXTENSION)	22-Oct-2005	Due Date	20-Sep-2005
RESPONSE (2 MO EXTENSION)	22-Nov-2005	Due Date	20-Sep-2005
RESPONSE (3 MO EXTENSION)	22-Dec-2005	Due Date	20-Sep-2005
RESPONSE (LAST DAY)	22-Jan-2006	Due Date	20-Sep-2005

**Remarks:**

RESPONSE 9/20/2005

**User ID:** mphillips**Date Created:** 26-Jul-2005**Last Update:** 22-Sep-2005